B

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10

Confirm certain Provisional Orders of the Local Govern- A.D. 1802.

ment Board for Ireland relating to the Urban Districts
of Ballymena and Strabane.

WHEREAS the Local Government Board for Ireland (hereinafter referred to as "the Local Government Board") have made the Provisional Orders as forch in the sebedule hereto under the Gas and Water Works Pacilities Act 1870 and the Public 33 4.8 4 in Action 1 and 1

And whereas it is requisits that the said Orders should be confirmed by Parliament and that the provisions berein contained should be enacted with reference thereto:

Be it therefore enacted by the King's most Excellent Majesty 10 by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows:—

 The Orders set out in the schedule hereto are hereby Orders in confirmed and all the provisions thereof shall have full validity satisfies 5 and force.

2. The authorities mentioned in the Orders hereby confirmed Beneishall not under the powers of these Orders purchase or sequence in of forwar is or more houses which on the fifteenth day of December last were of should be also as the order of the Or

will be subsequently so occupied.

The expression "labouring class" means mechanics artisans
25 labourers and others working for wages hawkers costermongers
[Bill 166.] A

Cush

- A.D. 1922, persons not working for wages but working at some trade or handicraft without employing others except members of their own families and persons other than domestic servants whose income does not exceed an average of thirty shillings a week and the
- families of any of such persons who may be residing with them.

  5 beet title

  3. This Act may be cited as the Local Government Board (Iroland) Provisional Orders Confirmation (Gas) Act 1902.

## SCHEDILE

A.D. 1902.

#### URBAN DISTRICT OF BALLYMENA.

Provisional Order under the Gas and Water Works Facilities Act 1870.

5 WHERRAS the Urban District Council of Ballymena (in this Order referred to as "the Council") are the urban authority within the meaning of the Public Health (Iroland) Act 1878 for the urban district of Ballymens in the 41 8 49 Vet county of Antrim (in this Order referred to as "the district").

And whereas the Council have subject to the senetion of the Local Govern-10 ment Board for Ireland (in this Order referred to as "the Local Government Board ") agreed to buy and the Ballymena and Harryville Gas Light Company Limited (in this Order referred to as "the Company") agreed to sell and transfer to the Council the gas works and all the gas undertaking lands

(including the lands described in Part I of the schedule hereto) plant 15 machinery goods chattels and other property estates and effects of the Company all of which matters herein-before mentioned as objects of the said sale and transfer are in this Order referred to as "the undertaking of the

And whereas the Council may under the Public Health (freland) Act 1878 or a er vice 20 themselves undertake to supply gas for the whole of any part of the district

and have applied to the Local Government Board to issue a Provisional Order authorising them to maintain and continue the undertaking of the Company if and when the same is acquired by them to manufacture and supply gas and to borrow money for those purposes : Now therefore We the Local Government Board to pursuance of the powers

given to Us by section 80 of the Public Health (Ireland) Act 1878 and of any 41 5, 42 Vice other powers enabling Us in that hehalf do hereby order that from and after a 32 the date of the Act confirming this Order the following provisions shall

1. This Order may be cited as the Ballymens Gas Order 1902. 2. The several words and expressions to which by the Acts in whole or in hypertains

part incorporated with this Order and by the Gas and Water Works Pacilities of terms. Act 1870 mounings are assigned have in this Order the same respective meanings (unless there is something in the subject matter or context repugnant MA to that construction).

3. The limits within which the Council may supply gas and in which this Limit of Order shall be in force and have effect shall be the district.

[166.]

A.D. 1902. Bellement Acolieution of

4. The Council shall in relation to the purposes of this Order exercise and he subject to all the powers and provisions of the Public Health (Ireland) Act 1878 so far as the same are applicable to the purposes of this Order but nothing herein contained shall empower the Council to acourre lands otherwise than by agreement.

(Irohad) Act

5-(1) The provisions of the Gasworks Clauses Act 1847 and of the Gasworks Clauses Act 1871 are hereby incorporated with this Order. (2) The Council may acquire by agreement the lands described in Part II. of the schedule hereto.

6 The Council may (when the undertaking of the Company has been 10 acquired by them) upon the lands described in Parts I. and II. of the schedule hereto lay down make maintain repair renew and continue and construct extend enlarge after or when necessary or convenient remove buildings apparatus and works for the manufacture and storage of gas and of coke culm asphaltum pitch tar oil ammoniaes! liquor and other refuse or residual 15 products arising from the manufacture of gas and any matters producible therefrom and dwellings for any persons employed in the said works and they may subject to the provisions of this Order make gas and supply and sell the same within the district for public and private purposes and may convert or manufacture coke culm asphaltum witch tar oil ammoniscal liquor and all 20 refuse or residual products arising from the manufacture of one and any matters producible therefrom and may sell and dispose of the same.

Council not to

7. The Council shall not manufacture gas or any residual products arising in the manufacture of gas on any lands other than the lands described in Parts I. and H. of the schedule bereto neither shall they commence the storage 25 of gas on any lands other than the lands so described which shall be situated within three hundred yards of any dwelling-house without the previous consent in writing of the owner lessee and occupier of such dwelling-house. 8. The Council may purchase or hire and sell or let on hire supply and otherwise deal in and fix set up alter remove and refix (but shall not mann- 30

facture) gas meters and fittings gas engines gas cooking ovens stoves ranges pipes hurners and other apparatus appliances articles and things used in the supply or consumption of gas for lighting or heating purposes or for motive power and for all other purposes for which gas can or may be used and may require and take such renuneration in money or such rents and charges for 35 and make such terms and conditions with respect to the supply sale letting fixing setting up altering repairing removing or refixing of such meters fittings engines ovens stoves ranges pipes hurners and other apparatus armliances articles and things as aftersaid and for securing their sefety and (If the circumstances so require) their return to the Council as may be agreed 40 upon between the Council and the person to or for whom the same are sold supplied let fixed set up altered remained removed or refixed.

9. The quality of the gas supplied by the Council shall with respect to its Quality of gas. illuminating power he such as to produce at the testing place berein-after mantioned a light equal in intensity to the light produced by fifteen sporm eandles of six to the pound and shall in all respects be in accordance with the provisions of the Gasworks Clauses Act 1871.

10. The Council shall before supplying or within one month after con-Passes of meaning to supply gas under the authority of this Order provide and better maintain a suitable photometer and other measure applicance for the purpose of testing the quality of the gas and shall at all times keep the same in more order and reach.

Some in project cours must require.

11. All gas emploid by the Council to any common of gas shall be Prosone.

20 supplied as each pressure as to balance from missight to amount a column of
water not low those activation of an task in hospit and from meant to
make the council of the council of the council of the council of the council of
making the same of the council of the council of the council of
supplying sales downment.

15 12—(1) For the purposes of the Gaworks Clauses Act 1871 the prescribed. Turng place testing place shall be a testing place to be provided by the Council at the "of bases, genworks situate on the lands described in the sebedule hereto before supplying.

or within one ments after examencing to supply gas under the authority of this Order and the burner to be used for tenting the gas shall be a Sugg's 2D London Argand No.1 with a six-inch by one and three-quarter-inch glass chimney and if at any time the gas flame tails over the top of the glass a

chimney and if at any time the gas flame tails over the top of the glass a six-inch by two ieth chimney shall be used.

(2) Any gas examiner appointed under the Gasworks Clauses Act 1871 for the purposes of this Order way subject to the terms of his appointment at

25 such tasting place or elsewhere not being the immediate approach to any railway being or railway station as and when no thinks fit test the pressure at which the gan is supplied and for that purpose ray open any stream of the property of the property of the property of the road authority and twelve beam' previous notion shall be given to the Consoli

30 of the time and place at which any testing for pressure elsewhere than at the testing place will be conducted.

13. No penalty shall be incurred by the Council for insufficiency of Nepessity is

pressure defect of illustinating power or for excess of impurity in the gas consist at supplied by them in any case in respect of which it is proved that such sorbito. So immiliations defect or excess was produced by an unavoidable canta or accident.

14. The price to be charged by the Council for gas supplied by them to Markeen consumers shall not exceed five shillings per one thousand cubic fees and so Price on in proportion for any loss quantity supplied. Provided nevertheless that

40 every old fraction or portion of one bundred cubic feet may be charged for as one bundred cubic feet.

15. The Council shall keep reparate records of the gas supplied to private Pire af each

consumers and for public lighting respectively. The price charged for gas for public lighting respectively.

- A.D. 1902. public lighting shall not be less than that charged to private consumers by
- The Conseil may with the sanction of the Local Government Board and for the purposes of this Order (with purposes ability to learn to Incident the costs payable by the Conseil of and in connection with the preparation 5 making and confirmation by Parliamant of this Order and the some to be pold for the purchase of the undertaking of the Company) borrow meany upon the occurtly of the moneys recoved by them by way of revenue under this
  - scentity of the moneys rootived by them by way of revenue under this Order and upon the search'y of the district fraud and note rates as may be leviable throughout their district or upon either of such accounties.

    1. The messeys horrowed under this Order shall be regard within such period not exceeding diffy years from the date of horrowing as the Council with the macritor of the Lond Orventuest Board in each case offer differentials and
    - the period so determined and sanetioned is hereinanfter referred to as the 'posseribed period."

      18 Sections 340 to 242 of the Public Health (Ireland) Act 1878 shall apply to all manays borrowed or re-borrowed on nortagge under this theler.
- the council shall repay the moneys borrowed under this Order by council installments of principal or by equal annual installments of principal or by equal annual installments of principal and interest combined or by means of a sinking fund or partly by 20
  - principal and interest combined or by means of a sinking fund or partly by 20
    "one of those nethods and partly by souther or the others of them."

    (2) Subject to the provisions of this Order with respect to increase reduction or discontinuous of aparents to sinking fund if the Council determine to regay by means of a sinking fund any meansy between this Order this Order.
    - such sinking fund shall be formed and maintained either—

      (a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneyr for the repayment of which the sinking fund is formed. A sinking fund so formed is berein-
    - after called a "non-secondating slacking final" or (b) by payment to the final distripator the prescribed period of such equal 30 sumul amost as with renumbitions at a rate and exceeding three pounds per certain per summar with be sufficient to pay of within the posseribed period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is benches there and "a necessimilating funds and the summary of the period of the pe
  - sisking fund."

    (3) Every sum pald to a sinking fund and in the case of an accumulating sinking fund the laterest on the inventments of the sinking fund shall unless applied in represented the beam in respect of which the sinking fund is furnated be immediately invested in searchistic in which arrantes are by Isw

applied in repayment of the loan in respect of which the sinking fund in formad be immediately invested in ascertation in which trustess are by his authorized to invest or it mortgage bands debentures debusines stock stock ago or other searchist endy insued by any look authority but senduries in every case of the recurring of the Council the Council being at liberty to vary and trappore such investments. (4) In the case of a non-accomulating sinking fund the interest on the t.D. 1802, investments of the fund may be apriled by the Council towards the equal Religious.

annual payments to the fund.

(i) The Council may at any time apply the whole or any part of any 5 sinking fixed in or towards the diselarge of the money for the repayment of which the final is formed Provided that in the use of an aremulating stanking fund the Council shall pay into the fund each year and secumulate during it a seidence of the poswerbul period a sum equal to the interest which in the final stanking the council and the counci

would have been produced by the staking fund or the part of the sinking 10 fund to applied if invested at the rate per cent per annum on which the annual payments to the sinking fund are based.

(6)—(a) If and so often so the income of an occumulating sinking fund is not equal to the income which would be derived from the amount invested if the same were invested at the rate per cent, per annum on which the equal 15 annual payments to the fund are based say deficiency shall be made good by the Council.

(b) If and so often as the income of an accumulating slinking fund is in excess of the income which would be derived from the amount invested if the same were invested at the rate per cent, per annum on which the equal 20 annual payments to the fund are based any such excess may be applied.

towards such equal annual payments.

(7) Any expenses connected with the formation maintenance investment application or management of or otherwise in relation to any sinking fund

application or management of or otherwise in relation to any sinking fund ander this Order shall be payable by the Council in addition to the payments 25 provided for by this Order. 20—(1) If it appears to the Council at any time that the amount in the payable

sinking fund with the future payments thereto in association with the internet provisions of this Order together with the accumulations then our first the over-accumulation of the second of an accumulating sinking fined Juny no the varietient to epsy within the integrated 30 presented period the annuay for the repayment of which the sinking fund is formed it shall be the duty of the Council to make such increased payments

to the sloking fixed as will cause the sloking fixed by superior for that purpose. For sloking fixed as will cause the sloking fixed to be sufficient for that purpose. Provided that if it appears to the Local Government Board that say soft increase is necessary the Constell shall increase the purposent to such as the Board may direct.

(2) If the Constell desire to accelerate the repayment of any loan they may

increase the amounts payable to any sinking fund.

(3) If in the opinion of the Local Government Board the amount in any

aisking foud with the future payments thereto in ascendance with the Od provisions of bit Order tegether with the accommissions thereon fin the case of an accommissing sinking family will probably be more than unificant to repay within the preserving particle the meany soft the repayment of which to the shrining fread either temporarily or permanents by a mode to the shrining fread either temporarily or permanently to each an orderal as \$2.5 the Board approver.

A.D. 1902. Ballymene

1902. (\*) If in the opinion of the Loral Government Boxed the amount in any sainting fund at any time together with the accumulations thereon (in the amount of an accumulating sinking fund) will probably be sufficient to repay the locus in respect of which it is formed within the prescribed period the Commit may with the consent of the Board discontinue the equal annual 5 payments to must initing fund until the Board deterwise direct.

(5) Any surplus of any sinking fund remaining after the discharge of the whole of the success for the repayment of which it was formed shall be applied to such purpose or purposes as the Council with the consent of the Local Government Board way determine.

Power to re borrow. 21. The Consell shall except as bretin-stee provided have power to re-berrow for the purpose of paying off say meany borrowed or ne-burnwed under this Order which have not been regaind and are intended to be forthwith people of a ringe people of the proper within have been regaind by the temporary application of fends at the disposal of the Connecll within twolve months 12 before the re-borrowing and which at the time of the papersant it was

Provided that the Countil shall not have power to re-berrow for the purpose of paying off any measury repaid by Installments or annual payments or by means of a sinking fund or out of memory derived from the sale of lands 20 or out of any capital meany properly applicable to the purpose of such repayment other than meany a berorned for that purpose:

Provided also that any moneys re-borrowed shall be deemed to form the same loan as the moneys for the repayment of which the re-borrowing has been made and shall be regard within the prescribed period.

of horrowed

29. All moneys between d are beloward under this Order shall be applied by the Council only for the purpose for which the same are respectively substituted to be between derivative d are substituted to be between derivative derivatives and the substitute of th

Resister. 23.—(1) Subject to the provisions of this article any mortgages of the Council in respect of a mortgage under this Order may enforce the payment of arrears of interest or of principal or of principal and interest by the appointment of a receiver (2) The application for the appointment of a receiver shall be made to the

5 terms as it thinks fit and may at any time discharge the receiver and otherwise exercise full jurisdiction over him Provided that no such application shall be entertained naless the amount of arreas due to the applicant or in the case of a joint application by two or more mortgagees to such applicants collectively is not less than five hundred pounds in the

21.—(1) The clork to the Council shall within twenty-one days after the Beaus as to thirty-first day of March in each year if during the twelve months next post-day for proceeding the said thirty-first day of March any sum is required to be paid ask.

as an instalment or annual payment or to be appropriated or to be paid to a 15 sinking fund in pursuance of the provisions of this Order or in respect of any Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by declaration of such eleck showing for the year next preceding the 20 making of such return or for such other period as the Board may prescribe the amounts which have been paid as invialments or annual payments and

the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the socurities upon which any investment has been made and 25 the purposes to which any portion of the sinking fund or investment or of the sams accumulated by way of compound interest has been applied during the same period and the total amount (if any) remaining invested at the

end of the year and in the event of his failing to make such return such clark sixll for each offines be liable to a penalty not exceeding twenty 30 pounds (2) If it appears to the Local Government Board by that return or otherwise

that the Council have failed to pay any instalment or annual payment required to be paid or to appropriate any sum required to be appropriated or to set apart any sum require I for any sinking fund (whether such in-35 stalment or annual payment or sum is required by this Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied any portion of any sinking fund to any purpose other than those authorised by

the Board may by order direct that the sum in such order mentioned not exceeding double the amount in respect of which default has been made 40 shall be paid or applied as in such order mentioned and any such order shall be enforceable by the High Court.

25. The powers of borrowing and re-borrowing conferred by this Order Berneray shall be deemed to be distinct from and in addition to the powers of borrow-

ing and re-horrowing conferred on the Council by the Public Health (freland) 45 Act 1878. [166,7

A.D. 1902 26. When the Commit require money to be deposited by any person with pulsars them by vary of sensity for the payment to them of any monups which commat heavy may become due to them by much persons, in respect of any supply of gas interests are not to be preclassed or in respect of any supply of gas or of the purchase or him of any apparatus appliances articles or things deposits.

and larger with obsteme their contributive freeze personant in redgesce to say largerly to get and the personant redgesce of the contribution of the contribution of the conposant. Including the Archive of the Christian between their personant in their personant contribution of the contribution of the contribution of the condeposited for every six remainst desiry which the sons causin in their branch Personal that the Countle may if they think it invest any money so depathed with them in the manuser product by a publishing only defaults 10 of this Order as to the ninking produced by a publishing only defaults 10 of this Order as to the ninking front and in that case the Council shall pay no higher 10 rates of intered than there receives the investment.

27. The Consell shall keep superate caytist and revenue accounts of all receipts credits payments liabilities and transactions in and about the execution of this Order and in relation to or on account of the gas undertaking bareby authorised which accounts shall be distinct from the other accounts of 15 the Council and platil be called respectively "the gas unput account." and

"the gas revenue account."

"the gas revenue account."

"the gas revenue under this revenue.

Order shall be applied for the following purposes:—

In payment of the gas establishment charges (that is to say) of the 20 expenses properly chargeable to revenue of establishing conducting easinging and maintaining the gasworks and works connected there-

with,

In payment of the interest on the moneys borrowed or re-borrowed for the
purposes of this Order:

In providing for the discharge of any moneys borrowed or re-horrowed for the purposes of this Order in accordance with the provisions of this Order.

In entire gener if the Consult think if it y yardy am not receding upon preval of the proper of a climit parameter value to 20 provide for the proper soll of the Property of the Prop

In payment if the Council think fit of the expenses of executing any permanent works authorized by this Order:

The residue (if any) of such revenue shall be carried to the credit of the district fund but no part of such revenue shall be carried to the credit of the 45

district fund when the price of gas to private consumers exceeds four A.D. 1903. shillings and sixpence per one thousand cubic feet. Ballymera

29. The Council shall not defray any of the charges and expenses of carrying this Owler into execution other than payments required to be made 5 in respect of money borrowed on mortgage of the district fund and the rates of the Council out of that fund or those rates when the price of gas to private consumers is less than four shillings and sixpence per one thousand

30. Where the Local Government Board cause any local inquiry to be held Inquire and 10 with reference to any of the purposes of this Order the cost incurred by the Board in relation to such inquiry (including such reasonable sum not exceeding three guiness a day as the Board may determine for the services of any inspector or officer of the Board engaged in such inquiry) shall be paid

by the Council and the Board may certify the amount of the costs so incurred 15 and any sum so certified and directed by the Board to be paid by the Council shall be a debt due to the Crown from the Council. "

Lands in the parish of Kirkinriola barony of Lower Tooms and within the 20 urban county district of Ballymens bounded on the north by Bridge Street for a distance of 40 feet and by premises in the occupation of R. A. Barr and others for a distance of 202 feet on the south by Coach Entry and Mill Lead the distance being 240 feet and 72 feet respectively on the cast for 237 feet by shop and premises of R. A. Barr and on the west by licensed premises of

25 Robert Grant and the year of premises in Bridge Street Place the distance 185 feet and 75 feet respectively which lands comprise an area of about two

Lands in the parish of Ballyclug barony of Lower Antenn and county of 30 Antrim and within the urban district of Ballymena abutting on the southwestern side of the Ballymens and Larne Railway of the Belfayt and Northern Counties Bailway Company for a distance of about 7 chains northward from the signal box on that railway which is situate about 7 chains southward of the Ballymena and Larue Railway Goods Station and bounded 35 on the north by the said Ballymens and Larne Railway Goods Station and on

the south and west by lands belonging or reputed to belong to George Thomas Graham which lands comprise an area of about 2 acres Given under the seal of office of the Local Government Board for

Ireland this Eighth day of April one thousand nine hundred and two. H. A. Robinson.

[166,]

### URBAN DISTRICT OF STRABANE

A.D. 1902. Strobuse. p

Provisional Order under the Gas and Water Works Facilities Act 1870.

WHEREAS the Urban District Commit of Starious (in this Order referred to the Art Commit) re the truth embedded with a smaller of the Starious (in the Order referred to the Art Commit) result and the Starious of the Commit of the Art Commit of the Order referred to a "the District" and whosen same that the Commit and the Committee suppress to supply gas the ordered to the Art Committee of the Order of the Committee Starious the Starious Starious Starious (in Starious International Committee International Committee Starious International Committee International Committ

1. This Order may be cited as the Strabene Gas Order 1902.

Now therefore We the Local Government Board in purpusance of the 15 powers given to Us by section 80 of the Art and of any other power cashling us in that behalf do heavly order that from and after the date of the Act confirming this Order the following provisions shall have effect

Short title. Interpretation.

9. The several words and expensions to whish by any Act in whole or in part incorporated with the Order and by the Gas and Water Worker Sectlisis Act 1870 assuring are usingwed have in this Order the same respective meaning culcus these is something in the ability nature or consist programs to best construction) and in the construction of this Order or day much Act 25 for the purpose of this Order the expension "the undertaking" shall include the governor and weeks consisted therewith by this Order authorised to be constructed similarities and continued.

Delet.

3. The limits within which the provisions of this Order shall be in force and have effect (in this Order referred to as "the limits of supply") shall be 30 the district.
4. The Council shall in relation to the purposes of this Order exercise and

Application of 4) & 42 Vict. c. 59.

be subject to all the powers and provisions of the Act so far as the same are applicable to the purposas of this Order but nothing herein contained shall empower the Counsil to acquire hands otherwise shan by agreement.

5. The provisions of the Land Clauses Aets (except with respect to the

Acts

purchase and satisfie of lands observise than by agreement and with respect to the entry upon leads by the promoters of the undertaking and except section 127 of the Lands Classons Camolidation Act 1849) of the Classons oction 127 of the Lands Classons Commission Act 1849 of the Classons Act 1847 (corept sections 20 88 and sections 35 and 46 thereof) do and of the Gasworks Classons Act 1874 (corept section 8 sections 24 to 97 and section 20 38 thereof) are baryly incorporated with this Order (except

## Orders (Gas).

where the same are expressly varied by this Order) and the said provisions of A the said favorise Clannes Acts as an incorporated shall apply as well to the mains pipes and works of the Council hid down or constructed before the mains pipes and works of the Council hid down or constructed before the mains pipes and works of the Order and situate within the limits of supply or 6 defined by this Order as to any mains pipes or works which may be hid down

or constructed under the authority of this Order.

6. The Council may for the purposes of the undertaking by agreement Purposes of

purchase or take on lease the lands described in the achievable hereto.

7. The Council may on the lands described in the schedule hereto.

10 consfered maintain and condition altar and enlarge receiv or discussions are worked and vate connected theoretist and may constitut event and maintain alter and enlarge restorts guidodrer receivers profilers mere apparatism and vocals for the manufacture and storting of gas and of cole and other residual products obstand in the inaunfacture of gas and other residual products obstand in the suanafacture of gas and other residual products of the successful of the successf

15 mixture producible therefrom and may subject to the provisions of the flow marks and offer make and store gas on such lands and supply and sell the available therefrom and may on the seem look emerginative and within the limits of supply and may on the seem look emerginative and store code sephiltum prish tar assuminated liquer oil and all such other residual produces as aforeastful and may cell and object of the same after residual produces as aforeastful and may cell and object of the same all 20 their works and chisoshers and may not construct and maintain aider and chisoshers and may be constructed and maintain aider and enlarge recover or discontinuous confess beliefiting and other works.

enlarge renow or discontinue houses offeres buildings and other works connected with the undertaking or for offsers and sevents employed therein. 8. The Council shell not manufacture gas or any residual products acting Council and

in the manufacture of gus on any lands other than the lands deartiled in manufacture 25 the schedule hereto mitther shall they commence the storage of gas and any lands (other than the lands so described) situated within three hundred with yards of any dwalling-house without the previous coment is writing of the

9. The following provisions for the protection of the Groat Northern Pervisos to 30 Radway Company of Indand and the Dunigal Radway Company (Servin-after it orbits) referred to as "the radway companies") shall be in force and have effect and companies be binding on the Council.

(1) In laying down or executing or in offerting the applica and renormal of any main pipes or other works upon across over over under or in any way affecting the railway interprety belonging to or said or occupied by the mility competition or the bridges approaches violates stations or other works or any extraction of the production or used by the scalings competitive the secondary of or republished or usual by the scalings competitive the secondary of the production of the principal registers of the scalings competitive that secondary of the production of the principal registers of the scaling of the production of the principal registers of the scaling of the principal registers of the scalings commencion and affecting the scale of the principal registers of the scalings.

and to the reasonable satisfaction of the principal requirer of the principal companies and only occurring to plant and settinces to be abstituted to and in such massurer as shall previously be reasonably approved by him and in all things by and at the appear of the Commiwho shall also restore and make good the reads over any such bridges bent eccuracy and approaches which he relative companies are or may Strabass.

to liable to maintain and which may be disturbed or interfered with by or overing to any operation of the Controll and all nesh works are that and things shall be conserved of excented and done so as not to ensee any highry to sade railway bridges level crossings approaches violent stations works lands or property or instrugation to the passage or 5 concision of the traffic over ness of unitary so existing on theese

(2) If any such injury or intersuption arises from or is in any way owing to any of the such operation matters and things detected or the hunting leakage or failure of any such manus pipes or works under or mor to any such bridge or level occasing the Council shall make compressation to in report. thereof to the rathway companies the amount of such compensation togoder with full counts to be recoverable from the Council.

(3) If any difference arises between the Council and the railway companies under this Article it shall be determined by an arbitrator to be appointed 15 on the application of either party by the president for the time being of

Province settlemen difference II II mp difference salms between the Council and any road authority or rullway enough or other company (other than the rullway companish) whose bands or works the Council have power to cross under the authority of this 20 roles as to the most of Lying down repairing allering or enlarging shadter than the council of the council of the council of the council of the latent the council of th

the required of either party.

25 (could not at their works or dischara proctace hire empty will be at the formal may at their works or dischara proctace hire empty will be at the formal and not monoticate upon matter fixings gas stores and exciting and other appearsts and may also parabose had all the dail in rise of contract for design work in connection with local shall not manufactors fixings taken stores, plus stores ranges and appearation frobating for domesticat and good their purposes by means of gas and all articles and datage in any way connected with gasowskip are with the neighb uses or commented with gasowskip are with the neighb uses or commented with gasowskip are with the neighb uses or commented with gasowskip are with the neighb uses or commented with gasowskip are with the neighb uses or commented or the gasowskip are with the neighb uses or commented or the gasowskip are with the neighbour or commented with gasowskip are with the neighbour or commented or the gasowskip and the neighbour or commented with the process of the neighbour or commented with the neighbour or commented with

Persec to

may request and take remonstration to respect thereof.

12 The said Gouzel may subject to the previous of this Order (tak only
fee the purpose of the andereiving within the limits of supply and not on as 35
to acquire any exclusive right therein), one of the purpose of the angel of the control of the purpose of the angel of the angel

or utilisation of any product obtainable in or artising from each manufacture or production or from the materials used theories.

13. The quality of the gas supplied by the Council shall with respect to its illustrating power be such as to produce at the testing raises begin raises.

ed made dictised by the University of Southemoton Library Dictisation Unit

sometioned a light equal in intensity to the light produced by not less than

A.D. 1902.

Strabut.

Strabut.

14. The Council shall before supplying or widelin one mouth after composed to supply gos under the authority of this Order provide and maintain to a suitable photometer and other necessary applicaces for the purpose of training the guilty of the sea and shall at all times keep the same in respect.

testing the quality of the gas and shall at all times keep the same in proper order and repair.

15. The price to be charged by the said Council for gas supplied by them Markham

10 shall not exceed five shillings and sixpasses par thourand ouble foot and so in proportion for any less quantily supplied but every sold foreston or posters of one hundred cube frost may be charged for so one hundred cube foot. Provincial that at any time after the expiration of three years from the communication of this Orier ten Loral Government Reard may if they think it upon the

15 application in writing of twenty nonunear resident within the limit of supply by order in writing to be signed by a scereizer or satisfant researchery of the said. Hourst alwhole said sunctions price by subdicting any other sain for the said same of twenty dillings, and stepanes and as from the data specified in said. Order the price by to charged by the Connell for gas supplied by them.

20 shall be in secordance with such Order.

10. The Countil shall keep separate records of the gas supplied to private Pow 4 gas to consumers and fare public lighting reporterly and the price charged for public relationing. Bighting shall not be few than that charged to private measurem by more than ten per cent. The Countil may if they think it allow discounts or robots to go every comment who within termit-eight days after delivery of these gas.

25 every consumer who within twenty-eight days after delivery of the gas account pays and account at the gas office of the Council at the following rates that is to say:—

When such account, amounts to one pound and under five pounds at the rate of two and a half per cent. When such account amounts to five pounds and under ten pounds at the rate of five per cent. When such account amounts to ten pounds and upwards at the rate of ten per cent.

The accounts referred to in this Article shall be for a supply of gws during auth period not being more than three months nor less than one month as in the said Council may fix.

17. All gas supplied by the Council to any consumer of gas shall be supplied by made also such pressures as to lakanes from midnight to sunser a column of water not less than six-enths of an ined in beight and from somet to midnight a column of water not less than six-enths of an ined in beight and the main or as rare and as many to to the junction theoretish of the survives principles are survey to to the junction theoretish of the survives principles reach.

consumer.

18.—(1) For the purposes of the Carworks Clauses Act 1871 the prescribed Testing place

testing place shall be a tosting place to be provided by the Conseil at the set transc garworks before supplying or wishin one month after commencing to supply gast under the authority of this forbles and the berner to be used for tonling gas shall be a Siggle London Argand No. 1 with a six-incide by one and threequatter-simé glass chimory and if at any time the gas flame task over the top of the glass as kincide by two-vinite driveneys shall be me. Provided that any other description of burner may be used which for the time being any be 5 (2) Any gas canamier appointed under the Caparovini Clauses Art 1971 for

content underspiecks of tenture into (s. tous) sends for the time being may be of (2) Any gas examines expected under the Controllar Channels of This of the the purposes of this Order may veliples to the tenuse of his appointment at unittioning place or delevers and wide has fitted the present at which to the purposes at which the controllar of the controllar of the controllar of the or place (see their glate) and when the controllar of the controllar of the mainly settledly restrict a controllar of any local row of authority and two lawer previous nodes shall be given to the Controll of the time and the controllar of the co

and two more previous brokes must no given to the Control of the time and place at which any tasting for present electrice than it to be testing place will be consisted.

19. Tessup-four hours' notice is writing shall be given to the Consoil by every gas consumer before he quits any premises supplied with gas by mater by the Consoil and in default of such notice to two consumer on quitting shall be highly to pay to the Consoil the meany accurage due in respect of such supplies to the next small prefix for termstraining the register of the 20 per such supplies to the next small prefix for termstraining the register of the 20 per

meter on such premises.

\*\*States to be 20. A notice to the Council from a consumer for the discontinuance of a 18 wifes.

18 wifes.

18 below to be of any effect unless it in in writing signed by or on behalf of the consumer and is left at or near by poot to the gas effect of the Council of the consumer and the state of the consumer and the state of the consumer and the state or near by poot to the gas effect of the consumer and the state or near by poot to the gas effect of the consumer and the state or near by poot to the gas effect of the consumer and the state or near by poot to the gas effect of the consumer and the state of the

behalf of the consumer and is left at or neat by post to the gas effice of the rerelation of the event of any meter used by a consumer of gas being feated.

21. In the event of any meter used by a consumer of gas being feated or negative representations of the consumer provided by the Sale of Gas Act 1858 and being provide or negative reconously within the meaning of the sale Act used: remove registeration when the control to have find a time of any time of the sale o

year unless it is proved to have first normal fairing this entermin quature. The 30 seconds of the allowance to be made to or of the restricts to the allowance to be made to or of the restracts to be made to as of the restricts to the consumer by the Consoil shall be paid by or to the Consoil to or by the consumers to see the case may be and shall be recoverable in like manner as gay to be a second of the consumers as the case may be and shall be recoverable in like manner as gay to be a second of the consumers as the constitution of the consumers are considered to the constitution of the consumers are second or the consumers of the consumers are second or the consumers are to the consumers are second or the consumers are to the consumers are second or the consumers are to the consumers are the consumers are consumers are consumers.

which gain a superior so only one comment writions paying an gain or motor
red or rests for stowns or other apparatual due frome bits to the Council may
refuse to furnish to him a supply of gas until be pays the amount so due.

No pearly
acres of preserve different and acres of the superior of the sup

No peaks 23. No peakly skall be incurred by the said Consult for insufficiency of necessary and the said consults of the said Consults of the presence defect of illuminating power or for excess of languarity in the ges 40 sense. The said Consults of the presence of the said Consults of the presence of the presence of the said Consults of the presence of the presen

Council to post story of these cary money is deposited by any person by way of accurrity with the Council for the payment to them of any moneys which may become due them by such person in respect of any supply of gas or the purchase or bire 45

of any apparatus appliances articles or things mentioned in Article 11 of this Order the Council shall pay interest at the rate of three pounds per centum per annum on every sum of ten shillings so deposited for every six months

A.D. 1902.

- during which the same remains in their hands Provided that the Council 5 may if they think fit invest any money so deposited with them in the manner provided by subdivision (3) of Article 29 of this Order as to the sinking fund and in that case the Council shall pay no higher rate of interest than they themselves receive thereon.
- 25. Section 140 of the Companies Clauses Consolidation Act 1845 shall be Applicated at the Companies Clauses Consolidation Act 1845 shall be Applicated. 10 and is hereby incorporated with this Order and for the purpose of such a 16. a 160. incorporation the expression "the Company" in the said section shall be construed to mean the Council.

26. The Council may with the sanction of the Local Covernment Board and Bernsing for the purposes of this Order (which purposes shall be deemed to include the powers

15 costs payable by the Council of and in consection with the application for preparation making and confirmation of this Order) borrow money upon the security of the manays received by them by way of revenue under this Order and upon the security of the district fund and any rates leviable throughout 27. For the purpose of raising money under this Order the provisions of Certain

section 246 of the Act shall apply with the necessary modifications and February scotions 240 to 242 of the Act shall apply to all moneys borrowed or actuals re-horrowed on mortgage under this Order. 28. The moneys borrowed under this Order shall not at any time exceed Appearent 25 fifteen thousand pounds and shall be repaid within such period not exceeding represent

fifty years from the date of borrowing as the Council with the sanction of the et mercy Local Government Board in each case determine and the period so determined and sanctioned is herein-after referred to as "the prescribed period" and shall with reference to the moneys to be repaid be the prescribed period for the 30 purposes of this Order.

29 .- (1) The Council shall repay the moneys horrowed under this Order Mede of by equal annual instalments of principal or by equal annual instalments of reported principal and interest combined or by means of a sinking fund or partly by

one of these methods and partly by another or the others of them (2) Subject to the provisions of Article 30 of this Order if the Council determine to repay by means of a sinking fand any moneys borrowed under this Order such sinking fund shall be formed and maintained either-

(a) by payment to the fund throughout the prescribed period of such equal annual sums as will together amount to the moneys for the repayment of

which the sinking fund is formed A sinking fund so formed is hereinafter called a non-accumulating sinking fund or (b) by payment to the fund throughout the prescribed paried of such equal

annual sums as with accumulations at a rate not exceeding three pounds per centum per account, will be sufficient to pay off within the prescribed [166.]

A.D. 1902 Strobase. period the moneys for the repayment of which such sinking fund is formed. A sinking fund so formed is berein-after called an accumulating sinking fund.

stituting time.

(S) Every sum poid to a sinking fand and in the case of an ascenantiking staking fand the interest and the investment of the sinking fand the interest and applied in requirement of the loan in record of which the eithing fand is formed be immediately invested in neuroties in which the trustees as by low fact that their highest point of the case of

vary and transpose such investments

(4) In the case of a non-nonmulasting sinking found the interest on the
investments of the fund may be applied by the Council towards the equal
annual payments to the fund.

(6) The Conneil may at any time apply the whole or say part of any sinking fined in a towards the discharge of the money for the repayment of which the first is formed. Provided that in the case of an accumulating stating fund the Conneil shall pay into the first sell-year and accumulate studing the residence of the prescribed period a mas equal to the interest which. 30 would have been prointed by the sinking fund or the playing fund as any pulsed if invested at the rate per cent per annum on which the samula prometts to the sinking.

(b)—(a) If and so often as the income of an accumulating sinking fund is not equal to the income which would be derived from the amount invested 25 if the same were invested at the rate per cent, per annum on which the organ annual payments to the fund are based any deficiency shall be made good by the Council;

(b) If and so often as the income of an accumulating sinking fund is income occurs of the innovae which would be derived from the amount invested if the 30 same were invested at the rate par ceek per annum on which the squal annual payments to the fund are based any such excess may be applied towards such equal annual payments.

(2) Any axpinese connected with the formation maintenance inventment application or management of or otherwise in relation to any sinking fund 33 under this robot-shall be paid by the Council in addition to the payments provided fir by this Order.
30—(1) If it appears to the Council at any time that the amount in the

Increase relatefou or diseastmanance of psymonia to making food

staking fund with the future payments the securitates with the provisions of this Order together with the securitations thereon fint the case 40 of an assemblating sixting fundy will probably not be sufficient to repay within the presented period the measure for the regardance of which the within the presentable period the measure for the regardance of which the terror of the contract of the state of the contract of the state of the contract of the state of the contract payments to the staking fund as will see that the contract of the contract of the state of the contract of the state of the contract of the state of the contract o

Board that any such increase is necessary the Council shall increase the A.D. 1902 symmetra to such extent as the Fourth may direct.

(2) If the Council derive the conclusion the proposary to the control of the Council derive the conclusion to proposary the proposary to the control of the Council derive the control of the proposary to the control of the Council derive the control of the Council derive the control of the Council derive the Council and Council derive the Council derive

(2) If the Council desire to accelerate the recomment of any loan they may increase the amounts payable to any sinking fund.

increase the amounts payable to any sinking fund.

(3) If is the opinion of the Local Government Board the amount in any sinking fund with the future psymmetric thereto in accordance with the provisions of this Order together with the accomulations thereon (in the case of an accommodating indicing faced) will probably be more than sufficient

to repay within the prescribed period the messays for the repayment of which 10 the sinking fami is formed the Council may reduce the payments to be made to the sinking fami either temporarily or permanently to such an extent as the Brazd approva.

(4) If in the opinion of the Local Government Board the amount in any sinking fund at any time together with the accumulations thereon (in the

15 cose of an accommissing stating fund) will probably be sufficient to repay the lean in respect of which it is foresed within the prescribed period the Cosnell way with the consent of the Board discussions the equal annual payments to such sinking fund until the Board citerwise direct (3) Any surplus of any sinking fund remaining after the discharge of september.

30 the whole of the moneys for the repayment of which it was formed shall be mixing first applied to such purpose or purpose as the Council with the occusent of the Local Government Board may determine.

31. The Council shall except as herein-after provided have power to re-Power's borrow for the purpose of paying off any unnexy horrowd or re-borrowd re-borrow to the factor which have not been repeal and are included to be forthwith.

respaid or in respect of any moneys which have been repaid by the temporary opplication of funds as the disposal of the Conzuli within twelve months before the re-berrowing and which as the time of the respective it was instead to re-berrow.

30 Provided that the Conzell shall not have power to re-borrow for the

purpose of paying off any noneque report by invishments or annual payments or by means of a sinking fond or out of moneya derived from the sale of hand or one of any capital measure properly applicable to the purpose of such repayment other than moneya borrowed for that purpose; Trevibed into that any moneya re-borrowed shall be decined to form the

same loan as the moneys for the repayment of which the re-borrowing has been usude and shall be repaid within the prescribed proiod.

32. All accessor from time to time borrowed or 10-borrowed under this Application Order shall be applied by the Council only for the purposes for which the analysts of same are respectively authorized to be borrowed or re-borrowed accepting that moneys which may have been borrowed or re-borrowed accepting the council or access of the

amount required shall be applied in such manner as the Council with the approval of the Local Government Board determine such all money received by the Council under this Order either as purchase movey of lands sold or 45 for equality of exchange or as consideration for a lease shall be applied to

[166.] C 2

works or objects on which capital may properly be expended when the Local A.D. 1902

Government Board have sanctioned the application of the same to those purposes or shall be applied according as the Council may determine towards the reduction of the debt owing by the Council or towards the increase of the sinking fund set apart under this Order Provided that it shall not be in 5 any way incumbent on any mortgages to see to the application of any moneys so borrowed or re-horrowed nor s'all the mortgages be responsible for any misapplication thereof.

33.-(1) Subject to the provisions of this Article any mortgages of the Council in respect of a mortgage under this Order may enforce the payment 10 of arrears of interest or of principal or of principal and interest by the

> (2) The application for the appointment of a receiver shall be made to the High Court and the Court if it thinks fit may appoint a receiver on such terms as it thinks fit and may at any time discharge the receiver and 15

arrears due to the applicant or in the case of a joint application by two or more mortgagets to such applicants collectively be not less than five hundred

34.-(1) The clerk to the Council shall within twenty-one days after the Thirty-first day of March in each year if during the twelve months next preceding the said Thirty-fast day of March any sum is required to be paid as an instalment or annual payment or to be appropriated or to be paid to a sinking fund in pursuance of the provisions of this Order or in respect of any 25 money raised thereunder and at any other time when the Local Government Board may require such a return to be made transmit to the Board a return in such form as may be prescribed by the Board and if required by the Board verified by statutory declaration of such clerk showing for the year next preceding the making of such return or for such other period as the Board 30 may prescribe the amounts which have been paid as instalments or annual payments and the amounts which have been appropriated and the amounts which have been paid to or invested or applied for the purpose of the sinking fund and the description of the securities upon which any investment has been made and the purposes to which any portion of the sinking fund or 35 investment or of the sums accumulated by way of compound interest has

been applied during the same period and the total amount (if any) remaining invested at the end of the year and in the event of his failing to make such return such clerk sharl for each offence be liable to a penalty not exceeding twenty nounds to be recovered by action on behalf of the Crown in the High 40 Court and notwithstanding the recovery of such penalty the making of the return shall be enforceable by writ of mandamus to be obtained by the Board (2) If it appears to the Local Government Board by that return or otherwise

# Orders (Gas).

required to be paid or to appropriate any sum required to be appropriated or to set aparts any sum required for any sinking find (whether such installment or annual payment or same is required by the Order or by the Board in virtue thereof to be paid appropriated or set apart) or have applied

5 any portion of any shiring fund to any purpose other than those authoritor the Beari may by Order direct that the sum in such order mentioned not exceeding double the assemt in respect of which detail has been made shall be poid or applied as in such Order mentioned and any such Order shall be subcreable by writ of mendanous to be obtained by the Beard set of the

## 10 High

35. The powers of borrowing and se-borrowing conferred by this Order terrent shall be desired to be distinct from and in addition to the powers of borrowing and re-borrowing conferred on the Council by the Act.

30. The Council shall keep separate capital and revenue accounts of Section 1.

15 all recipie recide payments habilities and transcribins in add about the execution of this Order and in relation to or on account of the gave materials with the control with the Control and the relation to or on account of the gave materials in hereby authorited which recomes shall be disliked from the other accounts of the Conseil and shall be called respectively "the gas capatal accounts" and "the gas recome account."

20 37. All moneys from time to tune received by the Council by way of Application of revenue under this Order shall be applied for the following purposes.—

In payment of the gas establishment charges (that is to say) of the expenses properly chargeable to revenue of establishing conducting managing and maintaining the gasworks and works connected therewith;

25 In payment of the interest on the moneys borrowed or re-borrowed for the purposes of this Order;

In providing for the discharge of any moneys berrowed or re-borrowed for the purposes of this Order in accordance with the provisions of this Order;

50 In setting upart if the Council Unite 66 a yearly sum on exceeding the pumulo per cent. of such revenue for the pumpose of forming a reserve fund to provide far the expenses attendant upon or occusioned by any sudden needlent to the med gasaveties and verks connected therewith or any other extraordinary expanditure authorized by this Order Previded that such reserve fund hald be accommissed by way of company interest.

by inventional in the manner specified in subdivision (2) of Article 20 of this Order as to the riching faunt small it amounts according to the narried patie of such inventionants to the sum of the narried paties at the second of the narried paties and the second of the narried paties at the whenever the renew faunt amounts according to the narket price of such inventionates to the sum of the whonevir pounds in those therefore shall be applied in the same nature or morely received by the Omenti by very of revenue under this Order.

In payment if the Council think fit of the expenses of executing any premanent works authorised by this Order;

A.D. 1802. The residue (if any) of such revenue shall be carried to the credit of the district fund but no part of each revenue shall be carried to the credit of the district fund but no part of such revenue shall be carried to the credit of the district fund when the price of gas to private consumen exceeds four shillings and sixtynce per one thermound cubic foot.

Same of Same our judge of the Charge and expenses of Same our judge that Order into execution other than payments required to be made in respect of many pervised on mortgage of the district ford and any rate authorised by this Order out of that fund or rate when the price of gas to private commerce is less than fire shillings and signators poron thousand.

center at the second converted to the second course any local inquiry to be held with reference to very of the purposes of this Order the costs incerned by this reference to very of the purposes of this Order the costs incerned by this center of the second control of the second control

shall be a debt due to the Crown from the Conneil.

40. The costs and expresses of the Council and of the Local Government
Board incurred in respect of the opplication for preparation making and 20
confirmation of this Order shall be paid by the Council.

#### e curpany

A piece of land situate in the townland of Townparks in the parish of Leckspatrick in the county of Tyrone containing three acres and three perchas or threabouts belonging to his Grace the Duke of Abercom adjoining the 25 Strabure Conne

> Given under the seal of office of the Local Government Board for Iroland this Righth day of April one thousand nine hundred

and two.

(Signed) H A. Rosinson. 30



(Ireland) Provisional Orders (Gas).

# BILL

To confirm certain Provisional Orders of the Local Government Board for Ireland relating to the Urban Districts of Ballymons and Strabane

(Prepared and trought in by Mr. Attorney-General for Leland and Mr. George Wyndham.)

Acred, by The Hease of Commons, to be Printed, 23 April 1802

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AND SO TO PART AND A STATE OF THE PROTECTION OF THE

[Price 24d.]

[Bill 166.]